

REMARKS

Claim! Objections

5 All! of! the! previously! presented! claims! that! the! Examiner! has! objected! to! have! been! amended! to! avoid! the! basis! for! objection.

Claim! Rejections! -35! USC! §112

10 All! of! the! previously! presented! claims! that! have! rejected! under! 35! USC! §112 have! been! amended! to! avoid! the! basis! for! this! rejection.

Claim! Rejection -35! USC! §103

15 The! present! invention! as! defined! by! the! claims! now! pending! is! limited! to! an! apparatus! and! method! that! includes! a! security! panel!.! The! term! “security! panel”! is! a! term! of! the! security! system! field.

Neither! the! Thrasher! US! patent! application! number! 2004/0176142! nor! the! 20 Fujisawa! US! patent! 7,016,707! refer! directly! or! indirectly! to! the! term! “security”! or! much! less! “security! panel”! or! “security! system”! .

Both! of! these! documents! are! classified! in! the! international! class! H04B!.! This! class! is! defined:

25 An example of the hierarchy of IPC codes taken from the WIPO website:

SECTIONH	ELECTRICITY
H04	ELECTRIC COMMUNICATION TECHNIQUE
H04B	TRANSMISSION
H04B 7/00	Radio transmission systems, i.e. using radiowave fields

Thus, the! most! substantial! common! relationship! between! the! cited! references! is! that! they! both! relate! to! Electricity!, Electric Communication! Technique!, and!

Transmission.!! These terms are inapposite to the present invention.

A search of the United States Patent and Trademark Office website for patents dated after 1976 in the H06B international class and which included the word

5 "security" failed to identify any documents.!! This further establishes the irrelevance of the cited references.

It is understood that the Examiner has inherently equated the terms "mobile phone" with the term "security panel" at page 4, line 3 of the office action.

10 It is respectfully submitted that the total absence of a security panel or a security system in either of the references as well as any patent in the United States Patent and Trademark Office database of patents having the same international classification is evidentiary that there is no combination of the cited reference or the cited references with any patent in the same international classification provides even the slightest suggestion of the general claims of the present application.

15 It is also respectfully submitted that other claims presented in this application are expressly limited to specific responses in the security panel in response to an input at the bracelet. These include

1. causing the associated phone line to go off hook.

25 2. causing the phone line to go off hook and a predetermined message to be delivered to an individual placing an incoming call.

3. activation of an audio amplifier.

30 4. Initiating a message to an incoming caller that the user will answer the call shortly.

Because the cited reference do not include or relate to a security system, much less a security panel the references do not show or suggest alone or in combination the claimed invention. The references do not have some suggestion, teaching, or motivation that would have taught a person of ordinary skill in the field of the invention.

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The established standard is clear:

10 In re Dance, 160 F.3d 1339, 1343 (Fed. Cir. 1998) ("When the references are in the same field as that of the applicant's invention, knowledge thereof is presumed. However, the test of whether it would have been obvious to select specific teachings and combine them as did the applicant must still be met by identification of some suggestion, teaching, or motivation in the prior art, arising from what the prior art would have taught a person of ordinary skill in the field of the invention.");

15 Karsten Mfg. Corp. v. Cleveland Golf Co., 242 F.3d 1376, 1385 (Fed. Cir. 2001) ("In holding an invention obvious in view of a combination of references, there must be some suggestion, motivation, or teaching in the prior art that would have led a person of ordinary skill in the art to select the references and combine them in the way that would produce the claimed invention.");

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In re Fine, 837 F.2d 1071, 1075 (Fed. Cir. 1988) (there must be "some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references");

25 Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1143 (Fed. Cir. 1985) ("When prior art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than hindsight gleaned from the invention itself.").

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Applicant expressly asserts that the statement at page 3, numbered paragraph 4., lines 5-6 that "Thrasher discloses ... a security panel ..." has no basis. More particularly, Thrasher does not even include the term "security".

It is respectfully submitted that the pending claims are allowable and such action is requested.

Should a petition for an Extension of Time be necessary for the timely reply to the outstanding office action (or such a petition has been made and an additional extension is necessary) a petition is hereby made in the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account Number 19-2635 under Attorney Docket Number H0005941-0555.

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10 Respectfully submitted,



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